

REMARKS

Claims 1-39 are pending. By this Amendment, claim 33 is amended. No new matter is added by the amendment.

Reconsideration based on the following remarks is respectfully requested.

The Office Action rejects claims 1, 2, 4-14, 16-18, 20-30 and 32-39 under 35 U.S.C. §102(b) over U.S. Patent 5,260,805 to Barrett. This rejection is respectfully traversed.

Barrett does not teach or suggest an image capture control system including a controller that provides control parameters, and a graphical user interface including a preview pane portion that visually indicates at least one feature of a resulting captured image, wherein the preview pane portion visually indicates the feature without the image capture device capturing the captured image, as recited in claim 1.

Barrett further fails to teach or suggest a graphical user interface for an image capture device able to capture an image based on control parameters, the graphical user interface including a preview pane portion that visually indicates at least one feature of a resulting captured image, wherein the preview pane portion visually indicates the feature without the image capture device capturing the captured image, as recited in claim 17.

Barrett also does not teach or suggest a method for displaying visual cues indicating capture parameters for a captured image including displaying a preview pane, and displaying within the preview pane, without the image capture device capturing the captured image, an image quality profile mimic, as recited in claim 33.

Instead, Barrett discloses a printing system 2 for comparing the programmed size of an image to be printed with the maximum available size for any image. In particular, Barrett teaches declaring a conflict for a programmed print image that exceeds the size of the maximum image allowed along one side. See col. 8, lines 30-63 and Fig. 12 of Barrett. The processed data may be returned to main memory 56, sent to a user interface 52 for display on

a screen 62 or sent to an image output controller 60. See col. 5, lines 63-66 and Figs. 2-3 of Barrett.

Barrett discloses displaying on the screen 62 a job ticket 150 including a maximum size print image 200. Barrett provides a paper stock window 215, a sides & orientation window 220, a reduce/enlarge window 230 and a print window 240 in the scales 242 and 244. Barrett displays a conflict message when the final print image 200 is compared to the maximum image size and does not fit the confines of the paper stock. See col. 8, lines 1-3, 12-15, 33-38, 49-63 and Fig. 12 of Barrett. There is no teaching or suggestion in Barrett of displaying a profile mimic without capturing a scanned image, as recited in claims 1-39. In particular, Barrett fails to provide a prescan profile mimic for representing an image quality profile.

For at least these reasons, Barrett fails to teach, disclose or suggest all of the features of claims 1-39. Thus, Barrett cannot anticipate the subject matter of claims 1-39 under 35 U.S.C. §102(b). Withdrawal of the rejection of claims 1, 2, 4-14, 16-18, 20-30 and 32-39 under 35 U.S.C. §102(b) as anticipated by Barrett is respectfully requested.

The Office Action further rejects claims 3 and 19 under 35 U.S.C. §103(a) over Barrett in view of U.S. Patent 6,298,172 to Arney et al. (Arney). This rejection is respectfully traversed.

Arney does not compensate for the deficiencies of Barrett outlined above with respect to claims 1 and 17. Nor does Arney teach, disclose or suggest the additional features recited in claims 3 and 19. Instead, Arney discloses a preview display screen 10 visible to the user when the platen cover 56 is closed. Activation of a control panel 32 enables a "snapshot" image on the platen 52 to be transferred to the preview device screen 10. A camera 34, with a lens 36, and a lightsource 38 are moved with the image acquisition device 70 to render the snapshot image. See col. 4, lines 46-60, col. 5, line 53 – col. 6, line 8, col. 6, lines 27-34 and

Fig. 1A of Arney. That is, Arney captures a preview image. The image can subsequently be either captured or cleared. See col. 5, line 55 – col. 6, line 8 of Arney.

By teaching a preview image is to be captured and displayed, Arney teaches away from the claimed preview pane portion that visually indicates at least one feature of an image that would result, without actually capturing or displaying any resulting image. Thus, the preview display screen of Arney is not analogous to the preview pane portion recited in claims 1-32.

Further, there is no motivation to combine features related to a printing system for comparing the size of a print image of Barrett with a previewing scanner for providing a “snapshot” of Arney, nor has the Office Action established sufficient motivation or a *prima facie* case of obviousness. Even assuming that motivation to combine the applied references is established, the combination fails to teach or suggest Applicants’ claimed features.

For at least these reasons, the combination of Barrett and Arney fails to teach, disclose or suggest all of the features of claims 1-39. Thus, the combination of Barrett and Arney cannot render obvious the subject matter of claims 1-39 under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 3 and 19 under 35 U.S.C. §103(a) as unpatentable over the combination of Barrett and Arney is respectfully requested.

The Office Action further rejects claims 15 and 31 under 35 U.S.C. §103(a) over Barrett in view of U.S. Patent 6,317,141 to Pavley et al. (Pavley). This rejection is respectfully traversed.

Pavley does not compensate for the deficiencies of Barrett outlined above with respect to claims 1 and 17. Nor does Pavley teach, disclose or suggest the additional features of the preview pane portion including an image quality profile mimic that visually indicates a currently selected image quality profile to be used when generating the captured image from the original image, as recited in claims 15 and 31.

Instead, Pavley discloses editing media objects in a digital imaging device, such as a digital video camera 100. See Abstract and col. 5, lines 1-9 of Pavley. Specifically, Pavley discloses a review mode screen image area 304 and an icon/information area 306 of an object cell 300 to display a small low-resolution version of the image from Pavley's digital video camera. See col. 7, lines 57-65 of Pavley. By rendering the image for playback, Pavley fails to teach or suggest an image quality profile mimic, as recited in claims 15 and 31, as well the a preview pane portion recited in claims 1-32. Further, even a combination of the teachings of Barrett and Pavley fails to teach or suggest a preview pane portion recited in claims 1-32.

Further, there is no motivation to combine features related to a printing system for comparing the size of a print image of Barrett with a mode dial 202 of Pavley's digital video camera, nor has the Office Action established sufficient motivation or a *prima facie* case of obviousness. Even assuming that motivation to combine the applied references is established, the combination fails to teach or suggest Applicants' claimed features.

For at least these reasons, the combination of Barrett and Pavley fails to teach, disclose or suggest all of the features of claims 1-39. Thus, the combination of Barrett and Pavley cannot render obvious the subject matter of claims 1-39 under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 15 and 31 under 35 U.S.C. §103(a) as unpatentable over the combination of Barrett and Pavley is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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